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December 5, 2019

DEC 05 2019

VIA ECF

Hon. Alison J. Nathan
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *Sanabria v. Theory LLC et al*,
Case No.: 1:19-cv-08315-AJN (S.D.N.Y.)**

Dear Judge Nathan:

This firm represents Defendant 47-49 Greene Street Owner LLC (47-49 Greene Street) in the above-referenced action. We write, with consent of both Plaintiff and co-defendant Theory LLC, to respectfully request (1) an adjournment of the Initial Pretrial Conference scheduled for December 20, 2019 and (2) a corresponding extension of the deadline to file pre-conference submissions, based on 47-49 Greene Street's waiver of service.

By way of background, Plaintiff filed the Complaint on September 6, 2019. Plaintiff filed an Amended Complaint to correctly name 47-49 Greene Street on November 18, 2019. (ECF No. 13.) 47-49 Greene Street waived service of the Summons and Complaint on November 19, 2019. (ECF No. 17.) Accordingly, the present deadline for 47-49 Greene Street to respond to the Complaint is January 21, 2020. On October 2, 2019, the Court scheduled an Initial Pretrial Conference for December 20, 2019 at 3:00 p.m. (ECF No. 7.) Further, as per the Court's October 2, 2019 Order, the parties must submit a joint letter and Proposed Civil Case Management Plan and Scheduling Order by December 13, 2019. (*Id.*)

We respectfully request that the Court adjourn the Initial Pretrial Conference to either February 7, 2020, February 21, 2020 or February 28, 2020, and reset the deadlines for pre-conference submissions accordingly. 47-49 Greene Street requires additional time to evaluate Plaintiff's claims, both to consider its response to the Amended Complaint, and prepare the joint letter contemplated by the Court's October 2, 2019 Order. (*Id.*)

The granting of this adjournment request will not impact any other scheduled deadlines, and is not intended to cause undue delay. We thank the Court for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

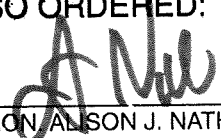
John W. Egan

cc: All counsel of record (via ECF)

The parties' request is granted. The initial pre-trial conference currently scheduled for December 20, 2019 is hereby adjourned to February 21, 2020 at 3:30 p.m. The parties' pre-conference submissions shall be due one week in advance of the new conference date.
SO ORDERED.

SO ORDERED:

12/5/19



HON. ALISON J. NATHAN
UNITED STATES DISTRICT JUDGE